

PATENT COOPERATION TREATY

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INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY
(Chapter II of the Patent Cooperation Treaty)

(PCT Article 36 and Rule 70)

Rec'd PCT/PTO 30 MAR 2005

Applicant's or agent's file reference W 5738-001	FOR FURTHER ACTION See Form PCT/IPEA/416	
International application No. PCT/SE 2002/001924	International filing date (day/month/year) 23.10.2002	Priority date (day/month/year) ---
International Patent Classification (IPC) or national classification and IPC A61K 6/00, A21D 2/14		
Applicant LJUNGSTRÖM, Marc		

- This report is the international preliminary examination report, established by this International Preliminary Examining Authority under Article 35 and transmitted to the applicant according to Article 36.
- This REPORT consists of a total of 4 sheets, including this cover sheet.
- This report is also accompanied by ANNEXES, comprising:
 - ☐ (sent to the applicant and to the International Bureau) a total of _____ sheets, as follows:
 - ☐ sheets of the description, claims and/or drawings which have been amended and are the basis of this report and/or sheets containing rectifications authorized by this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions).
 - ☐ sheets which supersede earlier sheets, but which this Authority considers contain an amendment that goes beyond the disclosure in the international application as filed, as indicated in item 4 of Box No. I and the Supplemental Box.
 - ☐ (sent to the International Bureau only) a total of (indicate type and number of electronic carrier(s)) _____, containing a sequence listing and/or tables related thereto, in computer readable form only, as indicated in the Supplemental Box Relating to Sequence Listing (see Section 802 of the Administrative Instructions).

- This report contains indications relating to the following items:

- | | | |
|-------------------------------------|--------------|---|
| <input checked="" type="checkbox"/> | Box No. I | Basis of the report |
| <input type="checkbox"/> | Box No. II | Priority |
| <input type="checkbox"/> | Box No. III | Non-establishment of opinion with regard to novelty, inventive step and industrial applicability |
| <input type="checkbox"/> | Box No. IV | Lack of unity of invention |
| <input checked="" type="checkbox"/> | Box No. V | Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement |
| <input type="checkbox"/> | Box No. VI | Certain documents cited |
| <input type="checkbox"/> | Box No. VII | Certain defects in the international application |
| <input type="checkbox"/> | Box No. VIII | Certain observations on the international application |

Date of submission of the demand 19.05.2004	Date of completion of this report 04.10.2004
Name and mailing address of the IPEA/SE Patent- och registreringsverket Box 5055 S-102 42 STOCKHOLM Facsimile No. +46 8 667 72 88	Authorized officer Inger Löfgren/BS Telephone No. +46 8 782 25 00

Form PCT/IPEA/409 (cover sheet) (January 2004)

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.

PCT/SE 2002/001924

Box No. I Basis of the report

1. With regard to the language, this report is based on the international application in the language in which it was filed, unless otherwise indicated under this item.
 - ☐ This report is based on a translation from the original language into the following language _____, which is the language of a translation furnished for the purposes of:
 - ☐ international search (under Rules 12.3 and 23.1(b))
 - ☐ publication of the international application (under Rule 12.4)
 - ☐ international preliminary examination (under Rules 55.2 and/or 55.3)
2. With regard to the elements of the international application, this report is based on *(replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report)*:
 - ☒ the international application as originally filed/furnished
 - ☐ the description:
 - pages _____ as originally filed/furnished
 - pages* _____ received by this Authority on _____
 - pages* _____ received by this Authority on _____
 - ☐ the claims:
 - pages _____ as originally filed/furnished
 - pages* _____ as amended (together with any statement) under Article 19
 - pages* _____ received by this Authority on _____
 - pages* _____ received by this Authority on _____
 - ☐ the drawings:
 - pages _____ as originally filed/furnished
 - pages* _____ received by this Authority on _____
 - pages* _____ received by this Authority on _____
 - ☐ a sequence listing and/or any related table(s) – see Supplemental Box Relating to Sequence Listing.
3. ☐ The amendments have resulted in the cancellation of:
 - ☐ the description, pages _____
 - ☐ the claims, Nos. _____
 - ☐ the drawings, sheets/figs _____
 - ☐ the sequence listing (*specify*): _____
 - ☐ any table(s) related to the sequence listing (*specify*): _____
4. ☐ This report has been established as if (some of) the amendments annexed to this report and listed below had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).
 - ☐ the description, pages _____
 - ☐ the claims, Nos. _____
 - ☐ the drawings, sheets/figs _____
 - ☐ the sequence listing (*specify*): _____
 - ☐ any table(s) related to the sequence listing (*specify*): _____

* If item 4 applies, some or all of those sheets may be marked "superseded."

Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement**1. Statement**

Novelty (N)	Claims	<u>1-11</u>	YES
	Claims		NO
Inventive step (IS)	Claims	<u>1-11</u>	YES
	Claims		NO
Industrial applicability (IA)	Claims	<u>1-11</u>	YES
	Claims		NO

2. Citations and explanations (Rule 70.7)

Cited document:

D1: US5384139

D2: EP0105640

D3: GB2002222

D4: FR2671266

The claimed invention is related to a method of sterilising flour. According to the invention an aseptically packed mixture of flour, suspended in a liquid, is produced. An object of the invention is to enable the consumers to bake themselves without any prior steps of preparation of the mixture.

The claimed invention, according to claims 1-7 differs in the sterilising process. According to D2, D3 and D4, it is well known in the art to sterilise foods by heating or by using alcohol and/or other chemicals. But none of the cited documents gives any indication towards the claimed method and product. No relevant combination of the cited documents would lead a person skilled in the art to the invention defined in claims 1-7.

The claimed invention, according to claims 8-11, is related to an aseptically packed mixture of flour, suspended in a liquid and a method of producing such a mixture.

D1 shows a method for ensuring a long time preservation of food compositions. The food compositions comprise a powder phase, mainly of flour, and a liquid phase. The two phases are separately sterilised and packed. They are mixed at the time of consumption.

.../...

Supplemental Box

In case the space in any of the preceding boxes is not sufficient.
Continuation of: V

The claimed invention according to claims 8-11 differs from D1 in that a novel flour product is used in the mixture. The claimed invention also differs in that the powder and the liquid is mixed before the product is aseptically packed.

The claimed invention, according to claims 8-11 is novel and the method and product is not considered to be obvious for a skilled person.

The claimed invention, according to claims 1-11 is novel, involves an inventive step and is considered to be industrially applicable.